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Attorneys for Defendants  
AMERICAN SAFETY RISK RETENTION GROUP, INC. and  
AMERICAN SAFETY INDEMNITY COMPANY

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

AIU INSURANCE COMPANY, a New York corporation,

**Plaintiff.**

vs.

ACCEPTANCE INSURANCE COMPANY, a Delaware corporation, TIG SPECIALTY INSURANCE COMPANY, a California corporation, ARROWOOD INDEMNITY COMPANY, FORMERLY KNOWN AS ROYAL INDEMNITY COMPANY, SUCCESSOR-IN-INTEREST TO ROYAL INSURANCE COMPANY OF AMERICA, a Delaware corporation, AMERICAN SAFETY RISK RETENTION GROUP, INC., a Vermont corporation, AMERICAN SAFETY RISK RETENTION GROUP, INC., a Oklahoma corporation, and DOES 1 through 10, inclusive.

### Defendants.

CASE NO.: 07-CV-05491 PJH

**STIPULATION AND [PROPOSED]  
ORDER REGARDING DEADLINE  
FOR AMERICAN SAFETY  
INDEMNITY COMPANY AND  
AMERICAN SAFETY RISK  
RETENTION GROUP, INC. TO FILE  
MOTIONS FOR SUMMARY  
JUDGMENT**

Judge: Hon. Phyllis J. Hamilton  
Courtroom: 3, 17<sup>th</sup> Floor

On November 19, 2009, this Court issued an Order respecting the management of this action that provided that Plaintiff AIU Insurance Company (“AIU”) would file its Motion for Summary Judgment on or before May 19, 2010, and that Defendants American Safety Risk Retention Group, Inc. and American Safety Indemnity Company (“ASRRG” and “ASIC,” respectively) would file their Motions for Summary Judgment on or before September 22, 2010.

As this Court may also recall, the hearing date for AIU's Motion for Summary Judgment, initially set for June 30, 2010, was ultimately continued to July 28, 2010. The hearing took place on July 28, and at that time the Court took AIU's motion under submission.

4 As of the writing of this Stipulation and Proposed Order, the Court has not yet issued its  
5 ruling respecting AIU's Motion.

In consideration of the fact that the intent and purpose of this Court's November 19, 2009, Order in staggering the parties' summary judgment motions was to avoid duplicative motions and needless motions, in light of the fact that this Court's ruling on AIU's pending motion may impact the scope and necessity of ASRRG and ASIC's Motions for summary judgment, and in the interest of economy for the Court, the parties through counsel of record, hereby agree and stipulate that the deadline for ASRRG and ASIC to file their Motions for Summary Judgment is hereby continued until a date that is forty-five (45) calendar days following this Court's issuance of a ruling on AIU's pending Motion for Summary Judgment.

14 IT IS SO STIPULATED.

15 DATED: September 10, 2010 BLAU & ASSOCIATES, P.C.

By: /s/ David S. Blau  
DAVID S. BLAU  
Attorneys for Defendants  
AMERICAN SAFETY RISK  
RETENTION GROUP, INC. and  
AMERICAN SAFETY INDEMNITY  
COMPANY

DATED: September 10, 2010

By: /s/ Laura J. Ruettgers  
LAURA J. RUETTGERS  
DAVID C. HUNGERFORD  
Attorneys for Plaintiff  
AJU INSURANCE COMPANY

## ORDER

Pursuant to the stipulation of the parties, the last day for Defendants American Safety Risk Retention Group, Inc. and American Safety Indemnity Company to file Motions for Summary Judgment shall be forty-five (45) days following this Court's issuance of an Order respecting Plaintiff AIU's Motion for Summary Judgment, currently pending and under submission.

**PURSUANT TO STIPULATION, IT IS SO ORDERED**

Dated: 9/13/10

